

THE FIERST LAW GROUP, P.C.  
Timothy J. Fierst (tf:3247)  
*Counsel for Plaintiff SV Produce Inc.*  
22 Bayview Avenue, Suite 202  
Manhasset, New York 11030  
516.586.4221

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SV PRODUCE INC.,

Plaintiff,

Case No. 19-CV-8049 (PAE)

-against-

**JUDGMENT**

EMPORIUM FRESH MARKET INC. and  
MANUEL PENA, Individually and in any Corporate  
Capacity.

Defendants.

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Upon consideration of Plaintiff's motion for entry of a judgment against the defendants Emporium Fresh Market Inc. and Manuel Pena, jointly and severally, the Declaration of Timothy J. Fierst, Esq., dated January 22, 2020, and the exhibits annexed thereto, the Stipulation of Settlement and Order dated October 8, 2019, and it appearing to the Court that the defendants Emporium Fresh Market Inc and Manuel Pena have defaulted under the terms of the Stipulation of Settlement and Order and that the amount of \$70,071.20 is due plaintiff SV Produce Inc. pursuant to the Stipulation of Settlement and Order, and that Plaintiff has the right to recover against Emporium Fresh Market Inc. and Manuel Pena, jointly severally, pursuant to Section 5(c) of the Perishable Agricultural Commodities Act, 7 U.S.C. §499(e)(a-c) ("PACA") and the terms of the Stipulation of Settlement and Order, it is hereby

**ORDERED**, that Plaintiff's motion for entry of a Judgment be, and the same is hereby, granted and it is further

**ORDERED, ADJDGED AND DECREED**, that judgment is hereby entered in favor of Plaintiff, SV Produce Inc., 302A Row C, NYC Terminal Market, Bronx, New York 10474, and against Emporium Fresh Market Inc., 409 Fifth Avenue, Brooklyn, New York 11217 and Manuel Pena, 409 Fifth Avenue, Brooklyn, New York 11217, jointly and severally, pursuant to PACA and the Stipulation of Settlement and Order, in the amount of \$70,071.20, and Plaintiff have execution therefor.

**ENTERED**, this 27th day of January, 2020

  
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PAUL A. ENGELMAYER  
United States District Judge